



Docket: 226/104

#3
P. W. W. W.
3/21/98

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Bradford Duft et al.

Serial No. 08/870,762

Filed: June 6, 1997 August 8, 1996

For: METHODS FOR TREATING OBESITY

Group Art Unit: 1801

Examiner: To be assigned

RECEIVED

FEB 05 1998

GROUP 1800

SUBMISSION OF MISSING PARTS AND RELATED
APPLICATION PAPERSHonorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37
CFR § 1.53(d), which was mailed on August 27, 1997, enclosed are:

- ☒ Combined Declaration and Power of Attorney
☒ Recordation Form Cover Sheet (Patents Only)
☒ Assignment of the Invention to AMYLIN PHARMACEUTICALS, INC.
☐ Verified Statement to establish "SMALL ENTITY STATUS" under 37 CFR 1.9(f) and 1.27(c).

1. REQUEST FOR EXTENSION OF TIME:

- ☒ Applicant requests an Extension of Time of three (3) months to respond; the requisite fee has been calculated as shown below:

		Small Entity	Large Entity
<input type="checkbox"/>	1 month	\$ 55.00	\$ 110.00
<input type="checkbox"/>	2 months	\$ 200.00	\$ 400.00
<input checked="" type="checkbox"/>	3 months	\$ 475.00	\$ 950.00
<input type="checkbox"/>	4 months	\$ 755.00	\$ 1510.00
	Total Fee Due	\$ _____	\$ <u>950.00</u>

08/04/1998 SCARMICH 00001-41 DAW:010535 08473762
08 FC:117 950.00 CH
08 FC:195 130.00 CH

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

January 27, 1997
date of depositSheryl Schoen
name of person mailing paper
Sheryl Schoen
signature of person mailing paper

2. THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

BASIC FILING FEE		\$	0.00
Total Claims: ___ - (20) = ___ x \$ 22 (extra fee charge) =		\$	0.00
Independent Claims: ___ - (3) = ___ x \$ 80 (extra fee charge) =		\$	0.00
Multiple Dependent Claims ___ \$260 (if applicable) =		\$	0.00
Surcharge under 37 CFR 1.16(e)		\$	130.00
TOTAL OF ABOVE CALCULATIONS		\$	130.00
Reduction by 1/2 for Filing by SMALL ENTITY . Note 37 CFR 1.9, 1.27, 1.28. If application, Verified Statement must be attached		-\$	0.00
Miscel. Filing Fees (Recordation of Assignment)		\$	40.00
TOTAL FEES		\$	1120.00

3. METHOD OF PAYMENT OF FEES

___ A check in the amount of \$ _____
xx Charge Deposit Account No. **01-0535** in the amount of \$ 1120.00. A duplicate copy of this Transmittal is enclosed.

4. AUTHORIZATION TO CHARGE FEES TO DEPOSIT ACCOUNT 01-0535

XX The Commissioner is authorized to charge Counsel's Deposit Account No. 01-0535 for any fees required under 37 CFR 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account 12-2475.

Respectfully submitted,

LYON & LYON

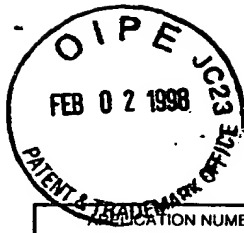
Dated: January 27, 1998

By: _____



Bradford J. Duft
Reg. No. 32,219

First Interstate World Center
633 West Fifth Street, Suite 4700
Los Angeles, CA 90071-2066
Telephone: (213) 489-1600
Facsimile: (213) 955-0440



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/870,762 06/06/97 DUFT B 226/104

0232/0827

BRADFORD J DUFT
LYON & LYON
633 WEST FIFTH STREET
SUITE 4700
LOS ANGELES CA 90071

NOT ASSIGNED

1801
DATE MAILED:

08/27/97

**NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130.00 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☒ large entity ☐ small entity (verified statement filed), is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.
- ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$ _____ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☒ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

C.M. Haywood
Customer Service Center
Initial Patent Examination Division (703) 308-1202

A copy of this notice **MUST** be returned with the response.

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SEP 02 1997

U.S. PROSECUTION